UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

DENNIS ALLEN, et al. :

Case No. C-1-01-159

Plaintiffs :

Judge Herman S. Weber

V.

Magistrate Judge Timothy S. Hogan

JOHN CRARY, et al.

Defendant/

Third-Party Plaintiff PLAINTIFFS NOTICE OF MANUALLY

FILING ATTACHMENTS TO

v. MEMORANDUM IN SUPPORT OF

PLAINTIFFS MOTIONS FOR

POLLY JONES, et al. SUMMARY JUDGMENT AGAINST

DEFENDANTS JOHN L. CRARY AND

Third-Party Defendants LEONARD KRISTAL

:

* * * * *

Plaintiffs, Dennis Allen, et al. (Plaintiffs), submit this Notice that they are manually filing herein the Declaration of David M. Cook, and the documents referenced therein, as an attachment to the supporting memoranda for Plaintiffs motions for summary judgment against Defendants John L. Crary and Leonard Kristal.

Respectfully submitted,

s/ David M. Cook

David M. Cook (0023469) Stephen A. Simon (0068268) DAVID M. COOK, LLC

22 West Ninth Street Cincinnati, Ohio 45202 Phone: (513) 721-7500

Fax: (513) 721-1178
Trial Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served this 10th day of November, 2003, via U.S. regular mail, postage prepaid, upon the following:

Leonard Kristal 107 Diablo Drive Kentfield, California 94904

Stephen R. Felson 617 Vine Street Suite 1401 Cincinnati, Ohio 45202 Trial Attorney For Defendant Crary

Paul D. Marotta Christopher D. Denny Jennifer Chen The Corporate Law Group 500 Airport Blvd., Suite 120 Burlingame, CA 94010 Of Counsel for Defendant Crary_

s/ David M. Cook

ATTORNEY FOR PLAINTIFFS